

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

KHOR CHIN LIM,

Plaintiff,

v.

NEW YORK STATE BOARD OF LAW  
EXAMINERS, et al.,

Defendants.

Case No. 25-cv-02661-EMC

**ORDER DENYING PLAINTIFF'S EX  
PARTE MOTION FOR TEMPORARY  
RESTRAINING ORDER**

Docket No. 20

Plaintiff, proceeding pro se, initiated this suit in March 2025 against a number of defendants, including but not limited to the New York State Board of Law Examiners, Cook County in Illinois, the City of Chicago, and former Presidents Joseph Biden and Barack Obama. In May 2025, Judge Ryu granted Plaintiff's application to proceed in forma pauperis ("IFP") but concluded (as part of the screening required by 28 U.S.C. § 1915(e)) that he had failed to state a claim for relief. Judge Ryu gave Plaintiff leave to file an amended complaint. *See* Docket No. 8 (order).

Thereafter, Plaintiff failed to timely file an amended complaint. Accordingly, in June 2025, Judge Ryu issued a report and recommendation ("R&R"), recommending that the case be dismissed based on failure to prosecute. *See* Docket No. 15 (R&R). Plaintiff failed to object to the R&R. This Court adopted the R&R and dismissed without prejudice based on failure to prosecute. *See* Docket No. 18 (order).

Now pending before the Court is a motion filed by Plaintiff seeking a temporary restraining order ("TRO"). Plaintiff's papers are difficult to read because they are handwritten and the handwriting is often illegible. Plaintiff's papers are also difficult to understand. Although not

1 clear, Plaintiff seems to be asking that certain property not be sold, transferred, or otherwise  
2 disposed of and that the D.A. in Rock County, Wisconsin, be barred from seizing certain property.  
3 With respect to the former, Plaintiff suggests funds should not be used from a sale to prosecute  
4 him in Wisconsin.

5 The Court denies Plaintiff's motion for a TRO. To obtain a TRO, a plaintiff must show "a  
6 likelihood of success on the merits, a likelihood of irreparable harm in the absence of relief, a  
7 favorable balance of the equities, and that a TRO [is] in the public interest." *E. Bay Sanctuary*  
8 *Covenant v. Trump*, 932 F.3d 742, 762 (9th Cir. 2018). Plaintiff's papers fail to establish that he is  
9 likely to succeed on the merits. He makes conclusory assertions or has submitted no evidence to  
10 support his claims (*e.g.*, that an entity cannot sell or transfer the property because it has not  
11 registered with any Secretary of State and has an illegal business form). Furthermore, as both  
12 Judge Ryu and this Court noted, it is not clear how this Court has jurisdiction with respect to the  
13 criminal prosecution in Wisconsin. *See* Docket No. 18 (Order at 1) (taking note of *Younger*  
14 abstention and personal jurisdiction). In his papers, Plaintiff makes a passing argument that there  
15 is a "bad faith" exception to *Younger*. This is true but it is a narrow exception – "bad faith  
16 generally means that a prosecution has been brought without a reasonable expectation of obtaining  
17 a valid conviction," *Yelp Inc. v. Paxton*, 137 F.4th 944, 951 (9th Cir. 2025) – and Plaintiff has not  
18 shown how he satisfies that narrow exception. Moreover, as indicated above, aside from *Younger*  
19 abstention, there is still the problem of personal jurisdiction.

20 In his papers, Plaintiff also seems to suggest that the Court should alter or amend the  
21 judgment pursuant to Federal Rule of Civil Procedure 59(e). "Amendment or alteration is  
22 appropriate under Rule 59(e) if (1) the district court is presented with newly discovered evidence,  
23 (2) the district court committed clear error or made an initial decision that was manifestly unjust,  
24 or (3) there is an intervening change in controlling law." *Zimmerman v. City of Oakland*, 255 F.3d  
25 734, 740 (9th Cir. 2001). Plaintiff has failed to address this standard. Indeed, he has not made

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any argument as to why the Court's holding finding a failure to prosecute by Plaintiff was incorrect given the record in the case. And even if the Court were to give some consideration to Plaintiff's belated apparent desire to now litigate, the merits of his case are lacking for the reasons stated above. The Court therefore declines to alter or amend the judgment.

**IT IS SO ORDERED.**

Dated: July 28, 2025

  
EDWARD M. CHEN  
United States District Judge